

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

LUIS ENRIQUE OVALLE MARQUEZ,

v.

UNITED STATES OF AMERICA

Defendant

CIVIL NO. 97-1571 (RLA)

[CR. NO. 91-397 (RLA)]

**MOTION TO APPEAR AS PETITIONER'S COUNSEL AND REQUEST FOR A
TWENTY WORKING DAY TO OBTAIN REMAINING FILE AND SUBMIT A
SUPPLEMENTARY MEMORANDUM OF LAW IN SUPPORT OF THE PENDING
PETITION**

TO THE HONORABLE COURT:

COMES NOW the undersigned counsel and petitioner and respectfully move this Honorable Court as follows:

1. The captioned petitioner recently retained the services of the undersigned to represent him in the pending matters related to the captioned petition.
2. Undersigned respectfully prays that the Honorable Court allow this appearance; relieve the Federal Public Defender from its duty to represent Mr. Ovalle.
3. Mr. Ovalle prays that all prior counsel be instructed to facilitate any and all of the case file they may have in their possession within the next five working days for either reproduction or simple transfer of the documents and parts of the file that are to Mr. Ovalle's benefit.
4. Mr. Ovalle and the undersigned respectfully pray in the spirit of Rules 1 and 6(b) of the Federal Rules of Civil Procedure and pursuant to Mr. Ovalle's right to effective assistance of counsel and due process under the Sixth and Fifth Amendments to the U. S. Constitution that he be granted twenty working days to examine the entire case file and submit a supplementary petition together with a memorandum of law in support of the pending petition.

WHEREFORE, pursuant to the spirit and contents of Rules 1 and 6(b) of the Federal Rules of Civil Procedure and Rules 2 and 45(b) of the Federal Rules of Criminal Procedure Mr. Ovalle and undersigned counsel respectfully pray that the remedies sought herein be granted.

RESPECTFULLY SUBMITTED, in San Juan, Puerto Rico, this 11th day of august, 2008.

I HEREBY CERTIFY having filed this motion through the Court's ECF filing system that notifies all parties to this case.

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Motions, Ovalle L. Appearance & time request 081108